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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

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|                |   |                           |
|----------------|---|---------------------------|
| In Re:         | ) | Case No.: 19-36450        |
| Joseph E Pabon | ) |                           |
|                | ) | Chapter 13                |
|                | ) |                           |
| Debtor.        | ) | Judge A. Benjamin Goldgar |

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NOTICE OF MOTION

TO: Joseph E Pabon, 948 Mason Lane Des Plaines, IL 60016 via *US mail*  
Marilyn O Marshall *via ECF clerk's electronic delivery system*  
U.S. Trustee, 219 S. Dearborn Suite 873, Chicago, IL 60604 *via ECF clerk's electronic delivery system*  
*See attached service list*

PLEASE TAKE NOTICE that on **January 7, 2020 at 9:30 AM** I shall appear before the Honorable A. Benjamin Goldgar at the Dirksen Federal Court, 219 S. Dearborn, Courtroom 642, Chicago, Illinois, 60604 or any judge presiding and then and there present the **Motion**, a copy of which is attached hereto.

By: /s/ David H. Cutler  
David H. Cutler  
Counsel for Debtor(s)  
Cutler & Associates, Ltd.  
4131 Main St,  
Skokie, IL 60076  
Phone: (847) 673-8600

CERTIFICATE OF SERVICE

I, David H. Cutler, hereby certify that I caused to be served, electronically or through U.S. Mail, a copy of the foregoing Notice upon the parties named above on December 30, 2019 before the hour of 7:00 p.m.

By: /s/ David H. Cutler  
David H. Cutler, esq.,

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| Debtor(s)      | ) | Judge A. Benjamin Goldgar |

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MOTION TO EXTEND STAY

NOW COMES the Debtor, Joseph E Pabon, by and through his attorneys, the law office of CUTLER & ASSOCIATES, LTD., and in support of his Motion, state as follows:

- 1) The Court has jurisdiction over the proceeding pursuant to 28 USC 1334 and the is a “core proceeding” under 28 USC 157(b)(2).
- 2) The Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on December 30, 2019.
- 3) The Debtor proposed a plan that will repay 100% to his general unsecured creditors with a monthly plan payment of \$1,045.00 per month for 60 months.
- 4) The Debtor had a prior Chapter 13 case, that was dismissed on December 10, 2019 Case No: 19-14999, within a year of filing, due to the Trustee’s motion to dismiss for failure to make plan payments.
- 5) In the prior case, the property Debtor was renting sold and he was asked to move suddenly and due to the Bankruptcy status on his credit report he was asked for two months security deposit and the first months rent as such Debtor fell behind on his trustee plan payments and living expenses.
- 6) In the instant case, Debtor has a stable living situation, and is surrendering a vehicle to the lender to significantly lower his monthly plan payments and expenses.

- 7) In the instant case, Debtors trustee plan payments will be made via payroll control, an order was filed on December 30, 2019.
- 8) In the instant case, Debtor has had a positive change in circumstances, he has a stable living condition, he is surrendering a vehicle to significantly lower his plan payments and expenses and his payments to the trustee will be made via payroll control, he has consistent and stable income and he can afford to make his monthly Bankruptcy Trustee plan payments in a feasible chapter 13 plan.
- 9) Debtor has provided this Honorable Court with an affidavit of change and income and expense schedules, see the attached Affidavit and schedules I and J from his prior case and the schedules I & J from his current case as Exhibit A and B. See the Affidavit and Exhibit A and Exhibit B respectively.

WHEREFORE, the Debtor prays that this Honorable Court enter an Order Extending the Automatic Stay, and for such further relief that the Honorable Court may deem just and proper.

Dated: 12/30/19

Respectfully Submitted,

By: /s/ David H. Cutler  
David H. Cutler, esq.,  
Counsel for Debtor(s)  
Cutler & Associates, Ltd.  
4131 Main St,  
Skokie, IL 60076  
Phone: (847) 673-8600